APPENDIX

Extracts from record in the companion case of *State* v. *Miranda*, 98 Ariz. 11, 401 P. 2d 716 (1965).

Mr. Turoff: What was your answer to this? Let me repeat the question. Did you make any threats to the defendant? Did you answer that?

A. Yes, I answered that. I didn't make any threats.

Q. Did you use any force on the defendant?

A. No, Sir.

Q. Did you offer the defendant any promises of immunity?

A. No, Sir, I did not.

Q. Officer, were you the arresting officer?

A. Yes, Sir.

Q. Did you arrest the defendant?

A. Yes, Sir.

Q. Are you the officer who brought him into the Interrogation Room?

A. Yes, Sir.

Q. Officer Young, was he also in the Interrogation Room?

A. Yes, Sir, he was with me during the time.

Q. And in your presence, did Officer Young make any threats?

A. No, Sir, he did not.

Q. Did Officer Young use any force on the defendant?

A. No, Sir, he did not.

Q. Did Officer Young make any promises of immunity to the defendant?

A. No, Sir, he did not.

Q. Officer, I ask you again, what was your question to the defendant and what was his answer to that question?

Mr. Moore: Comes now the defendant and objects for the reason—I would like to ask a question on voir dire before I make the objection.

The Court: All right, Mr. Moore.

By Mr. Moore:

Q. Did you say to the defendant at any time before he made the statement you are about to answer to, that anything he said would be held against him?

A. No, Sir.

Q. You didn't warn him of that?

A. No, Sir.

Q. Did you warn him of his rights to an attorney?

A. No, Sir.

Mr. Moore: We object, not voluntarily given.

Mr. Turoff: I don't believe that is necessary.

The Court: Overruled.

By Mr. Turoff:

Q. Would you tell us, Officer, now, what you said to the defendant after Miss McDaniels made her statement and what the defendant said to you regarding this charge.

A. I asked him, I said, "Is this the woman that you took money from?" and he said, "Yes, this is her."

Q. Did you ask him anything else? Was there any further conversation regarding the taking of this money?

A. Yes, Sir, we then—I believe he just volunteered the information and was saying—part of the conversation was with the woman at the time that the occurrence had happened.

Q. I didn't get that, Officer. He told you what conversation he had with her?

A. Yes, he did.

Q. I see; did he tell you also where this took place and when?

A. He wasn't exactly sure of the exact location. It was at approximately 2nd Street just north of Van Buren up around Taylor, somewhere in that vicinity. He wasn't sure of the exact location of the occurrence, but just the approximate location.

Mr. Turoff: I have no further question of this witness.

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A. No, not right away.

Q. Later on when Miss McDaniels was present, did you have a discussion with the defendant concerning that charge?

A. Yes, Sir.

Q. Who was present at that conversation, Officer?

A. Myself, Detective Cooley, Mr. Miranda and Barbara McDaniels.

Q. I see; prior to that, had you made any threats or used any force on the defendant?

A. No, Sir.

Q. Had you offered the defendant any immunity?

A. No, Sir.

Q. In your presence, had Officer Cooley done any of these acts?

A. No, Sir.

Q. About what time did this conversation take place, Officer?

A. Approximately 1:30.

Q. Shortly after Miss McDaniels made her first statement, is that correct?

A. Yes, Sir.

Q. Can you tell us now, Officer, regarding the charge of robbery, what was said to the defendant and what the defendant answered in your presence?

A. I asked Mr. Miranda if he recognized • • •

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A. When Mrs. McDaniels was in there, we were not armed—I was not.

Q. You were not?

A. No, Sir.

Q. But the defendant did know you were policemen?

A. Yes, Sir.

Q. And you did question him?

A. Yes, Sir.

Q. And you didn't warn him of his rights?

A. What is that?

Q. You never warned him he was entitled to an attorney nor anything he said would be held against him, did you?

A. We told him anything he said would be used against him, he wasn't required by law to tell us anything.

Q. Did you tell him that or did Mr. Cooley tell him that?

A. We both had told him.

Q. That is all you know about this? You don't know a thing about this except the conversation you heard, this robbery trial, isn't that right?

A. Yes.

Q. The conversation you heard in the interrogation room?

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